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MM 99-25

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WZZK-FM WODL-FM WEZN-AM

July 27, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Chairman William E. Kennard
Federal Communications Commission
The Portals
445 12th Street
Washington, DC 20554

Regarding: MM Docket No. 99-25 Creation of Low Power Radio Service
RM-9208
RM-9242

Dear Chairman Kennard,

For the past week, I have read and re-read your joint statement with Commissioner Tristani, the transcript of your speech at The Five Points Media Center in Denver, and the Notice of Proposed Rule Making concerning Low Power FM.

I believe you are a sincere man with a strong vision and belief in the possibilities of what could be, if we could give "a voice to the voiceless."

The purpose of this correspondence however, is to voice my grave concerns that the solution proposed will not accomplish your goal and could indeed destroy quality radio for all Americans.

There is an assumption that runs consistently through your material. That assumption is that technological advances can be made to allow the second and third adjacencies to carry new signals without creating interference.

To quote you, "In the past, the Commission has faced incumbents raising obstacles that might impede the development of new technology." (Excerpt from Joint Statement of Chairman William Kennard & Commissioner Tristani)

There are better minds than mine, with specific expertise on the engineering realities. I am also certain you will receive truckloads of material with their opinions. The perspective I would like to take with this issue is from the ears of the consumer.

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The American consumer is built for speed. Convenience, low hassle factor," give it to me the way I want it and quickly", are primary motivators in American consumers purchasing decisions.

The radios that we all currently own were not designed to be any more selective than necessary. They were in-fact built with the expectation that each frequency would have a certain level of protection. The average American home has five to eight radios; in addition, most cars have radios. If LPFM comes on, it will create interference on the existing signals. The consumer won't realize it is a result of the elimination of 2nd and 3rd adjacencies, nor will they suspect they have out of date radios. They will simply tune out that station and go to one that comes in clearly. Further more, the consumer will not rush out to replace and up grade all their radios.

Like AM Stereo, just because the technology can be created does not mean the consumer will embrace it.

One of the stations I manage is a signal disadvantaged AM. Two years ago, we reprogrammed the station to Nostalgia to target the World War II group. They love the station; there is great passion. However, every week I receive phone calls complaining that they" can't hear it at night", or" it's real staticy "on certain days. The bottom line is they don't care about the rules and regulations, they think I am incompetent and I am cheating them from their good music.

The interference and static make the station unlistenable in certain locations. I fear the Commission's proposal as it stands, will compromise the integrity of the FM band and create the same consumer un-friendly listening my AM suffers.

Another assumption that seems to weave through your written and spoken material is that" Consolidation" has created less diversity. I challenge any one to prove that. There is more diversity of programming choices for the consumer than ever before. I sincerely believe that consolidation has created more choices and better competition in the radio industry. The big beneficiary has been the consumer.

Finally, I believe your proposal could have devastating consequences on smaller independent operators, many of whom might well be minorities and locally owned...the very people your plan is intended to help. Dramatically increasing the amount of available inventory in a small market where the average commercial is selling for \$15, could turn a marginal business bankrupt in a short period of time.

I urge you and the other Commissioners to reconsider the pursuit of this particular proposal. It will not, in my mind, deliver the results you seek and could destroy the quality of radio in America.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Kohn", written in a cursive style.

July 27, 1999

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Jeffrey T. Clark
Vice President & General Manager
WZZK WODL WEZN Radio